

Serial No. 10/039,827

Docket No. 17349CIP(AP)

## REMARKS

Applicants hereby elect group I, the unelected claims are withdrawn.

Claim 3 is amended to remove a typographical error. Applicants do not believe the amendment is narrowing.

Rejections-35 U.S.C. § 102(e)

The claims have been rejected as anticipated by Gill et. al. (U.S. Patent No. 6,787,517).

However, Applicants point out the present application claims priority to U.S. Serial Number 09/548,410 (now U.S. Patent No. 6,313,172), which was filed on April 13, 2000. Applicants point out the preliminary amendment, and the declaration of April 10, 2002, which make this priority claim. The priority document discloses the presently claimed subject matter. The Gill reference was filed December 29, 2000, which is after the filing date of the priority document. Thus, the Gill reference does not anticipate the claims.

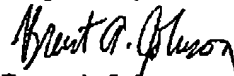
In light of this, Applicants respectfully request that Examiner remove the rejection and pass the application to issue.

Please charge Deposit Account 01-0885 for the extension fees and any other fees due in this case.

Date:

4/21/06

Respectfully submitted,



Brent A. Johnson

Registration No. 51,851

Agent of Record

Telephone: 714/246-4348

Telecopier: 714/246-4249

Please address all correspondence and inquiries to:

Brent A. Johnson (T2-7H)

Allergan, Inc.

2525 Dupont Drive

Irvine, CA 92612

Tel: 714.246.4348

Fax: 714.246.4249